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**MEMORANDUM**

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**TO:** PLANNING BOARD  
**FROM:** JULIET T.H. WALKER, PLANNING DIRECTOR *JTW*  
**SUBJECT:** ZONING ORDINANCE AMENDMENTS – 105 BARTLETT ST  
**DATE:** 04/16/2018

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On February 13, 2018, Attorney Phoenix submitted a letter to the City Council on behalf of his clients, Clipper Traders, LLC requesting lots at 105 Bartlett St be re-zoned to Character District 4 West End (CD4-W), included in the West End Overlay District, and added to the Height Requirement Area which allows up to 2-3 stories (with a short 4<sup>th</sup>) or 45'.

City Council Referral

At the February 20, 2018 City Council meeting, the Council voted to refer this request to the Planning Board for a recommendation. One of the principle legislative functions of the Planning Board is to make recommendations related to amendments of the zoning ordinance. Whether the zoning amendment is generated by a citizen petition or a referral by the City Council, the Board has the responsibility to review and make a recommendation and to take the proposal through a public hearing process. All zoning amendments also require three readings in front of City Council including a public hearing. These occur after the Planning Board has completed its process and made a recommendation to the City Council.

Planning Board Review

The Planning Board initially considered this zoning amendment petition at its March 15<sup>th</sup> meeting at which time a public hearing was conducted. At that time, the Planning Board voted to postpone a recommendation and continue the public hearing until April pending a report back from Planning Department staff.

Planning Department Staff Review

Staff have met with the petitioner to review conceptual plans for the proposed development of this site. After reviewing the petitioner's conceptual plans, considering the neighborhood context, and receiving some preliminary input from neighborhood residents, staff have proposed some revisions to the zoning amendment as originally proposed by the petitioner. These changes are summarized below but are primarily focused on maintaining consistency in the building height and development density with the surrounding neighborhood context, providing a continuous greenway and community space along the waterfront, and preserving views of the waterfront. Two of the primary changes recommended by staff are to change a portion of the property from Office Research (OR) to Character District-4 Limited (CD4-L2) as opposed to Character

District-4 West End (CD-4W) as originally proposed by the petitioner and to reduce the proposed height area requirements. In addition, staff have recommended some revisions to the Incentive Overlay District Standards, which are also summarized below.

Amendments to the Character Districts Regulation Plan maps (Maps 10.5A21A & B)

- 1) Amend the zoning map to re-zone a portion of the 105 Bartlett St property to CD-4W extending from the existing CD-4W boundary to approximately Cabot Street and the portion between Cabot St and Brewster St to CD-4L2. All of this area would also be included in the West End Overlay District as originally proposed by the petitioner.
- 2) Amend the height requirement areas to provide a transition in height that is more appropriate for the abutting residential neighborhoods. As revised, the portion of the property in the existing CD-4W district would be in the 2-3 Stories (45') height requirement area, the portion extending between the existing CD-4W boundary to a line approximately parallel with Salem St would be in the 2-3 Stories (40') height area, the portion between Salem St and Cabot St would be in the 2 Stories (35') height area, and the remaining portion to Brewster St would be in a new 1 Story (25') height area.

Amendments to Development Standards for Character Districts

- 1) Revise building and lot occupation requirements for the current Character District 4 – Limited (CD4-L1/CD4-L2) to increase maximum building block length from 80 ft to 100 ft. This revision was added at the request of the petitioner to allow for developments in the CD4-L1/CD-4L2 to support rear access parking within a townhouse or rowhouse building type so up to 4 units can be vertically separated within the building while providing up to two off-street parking spaces per unit. A minimum width of 24 feet is typically required to support such parking. The petitioner originally proposed rezoning the entire property to CD-4W, which allows for a building block length of 200'. With this amendment, the portion of the property extending from Cabot Street to Brewster Street would now be required to comply with a 100' block length requirement. The current zoning for the property does not provide a block length maximum.
- 2) Add additional permitted building, façade, and community space types to the Character Districts and refine definitions. These are primarily housekeeping revisions to allow some of the new building and façade types added to the zoning for the Gateway Neighborhood Mixed Use amendments at the end of 2017 in the Character Districts.
- 3) Amend the Character District height requirement areas to include a new category for 1-story 25' (currently there is only 1-story 20 feet). This revision was added at the request of the petitioner to allow for a building height of 35' (or 2 ½ stories) for a project meeting the Incentive Overlay District Standards in the proposed CD-4L2 district.

Incentive Overlay District Standards Amendments

The proposed zoning includes an extension of the existing West End Overlay District, the following revisions are being recommended to the relevant portions of the Ordinance.

- 1) Amend the incentive standards in the North End and West End Incentive Overlay Districts to allow a maximum building footprint of 3,500 in the CD4-L2 (increased from 2,500), provide for a single-story recessed connector building in the CD4-W, reduce the minimum ground story height to 9' in the West End Overlay District and require a liner building for any developments with ground story parking. The minimum off-street parking standards have also been adjusted to be consistent with the off-street parking standards adopted at the end of 2017. These standards would only apply in the West End Overlay District and only if the development is eligible to receive these incentives by providing community space or workforce housing.
- 2) Amend the requirements for community space in the Incentive Overlay District for lots adjacent to the North Mill Pond by clarifying that a minimum of 20% of land area is required to be community space and to specify the location of the required multi-use path.

The effect of the West End Incentive Overlay District standards on the underlying zoning requirements for height and building footprint is illustrated on the map attachment provided as an exhibit with the Planning Board packet. See document labeled "Proposed Zoning Map (10.5A21B) Amendment for 105 Bartlett Street and the North Mill Pond" dated 04-10-18. The increased height and footprint allowed with the Incentives are labeled "density bonus height" and "density bonus footprint".